

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11-cv-347-RJC**

THIS MATTER comes before the Court on its own motion following an Order directing Petitioner Eric Lamar Tolbert (“Petitioner”) to update his address and inform the Court whether he wished to pursue this action. (Doc. No. 3).

Petitioner was released from custody on November 6, 2011, but never updated this Court with his new address. Therefore, the Court ordered Petitioner to do so and to inform the Court whether he wished to prosecute this action within thirty days of the Court's Order. (Doc. No. 3). The Court warned Petitioner that his failure to obey the Court's Order would result in the dismissal of his petition. (*Id.*). The Court requested that Lynn Summers, Jr., administrator of Hoke Correctional Institution, forward this Order to Petitioner or to the North Carolina Parole Commission for forwarding to Petitioner.

Petitioner has failed to respond to the Court's Order.

IT IS, THEREFORE, ORDERED that:

1. Petitioner's Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus, (Doc. No. 1), is **DISMISSED**.

Signed: March 2, 2012

Robert J. Conrad Jr.

Robert J. Conrad, Jr.
Chief United States District Judge

